

**A SUBSTITUTE ORDINANCE
BY CITY UTILITIES COMMITTEE**

AN ORDINANCE TO FIX A SCHEDULE FOR MONTHLY WATER AND SEWER RATES AND CHARGES FOR THE CITY OF ATLANTA, GEORGIA, AND TO CREATE AND FIX A CONVENIENCE CHARGE TO RECOVER THE COST OF PROCESSING CREDIT CARD, ELECTRONIC CHECK, AND DEBIT CARD PAYMENTS FROM USERS UTILIZING SAID PAYMENT METHODS AS AUTHORIZED BY CHAPTER 154, ARTICLE III, DIVISION 3, SECTIONS 154-111 AND 154-112 (WATER RATES AND CHARGES) AND CHAPTER 154, ARTICLE V, DIVISION 3, SECTIONS 154-276 AND 154-277 (SEWER RATES AND CHARGES) FOR THE TIME PERIOD BEGINNING JULY 1, 2008 AND TERMINATING JUNE 30, 2012; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City"), pursuant to its charter, has the authority to and responsibility of providing water and sewer service to its water and sewer customers both inside and outside the corporate boundaries of the City; and

WHEREAS, it is necessary and in the best interests of the City to operate, maintain and expand the water and sewer systems to protect the public health, safety and welfare and to provide these services where such services are needed or desired; and

WHEREAS, in 1998 and 1999, the City resolved *Upper Chattahoochee Riverkeeper Fund, et al. v. City of Atlanta*, Civil Action File No.: 1:95-CV-2550-TWT and *United States of America, et al. v. City of Atlanta*, Civil Action File No. 1:98-CV-1956-TWT by entering court approved Consent Decrees with the Upper Chattahoochee Riverkeeper, the United States of America and the State of Georgia requiring the City to complete capital improvements and to implement improved operation and maintenance programs within specified time frames; and

WHEREAS, the City also resolved other regulatory enforcement matters with regard to its water system requiring the City to complete certain operational and capital improvements; and

WHEREAS, the Mayor and the City Council have, after extensive research and analysis, concluded that to maintain and upgrade the water treatment and distribution system and wastewater treatment and collection system to comply with federal and state regulations, to implement best practices, and to meet the future demands of the City's service area, a major program of capital improvement had to be initiated; and

WHEREAS, projected water and wastewater revenues at current rates and charges will not be sufficient to support continued financing of the costs of these improvements, known as the Clean Water Atlanta program, without significant additional borrowing and increasing the water and sewer rates to secure this debt; and

WHEREAS, it is therefore necessary for the City to implement increases in water and sewer rates and charges to maintain strong infrastructure and regulatory compliance; and

WHEREAS, the City has an interest encouraging its citizens to conserve water resources and is required by the Metropolitan North Georgia Water Planning District's Water Supply and Water Conservation Management Plan to promote conservation through its water and sewer rate structure; and

WHEREAS, it is the desire of the Mayor and City Council to minimize, to the extent possible, the impact of rate increases on ratepayers and implement a rate structure that maintains affordability and promotes water conservation through the implementation of a graduated rate structure; and

WHEREAS, seventy-one percent (71%) of presidential preference primary voters in the City voted "yes" in a referendum asking whether to re-impose a special one percent sales and use tax to fund water and sewer projects and costs for the time period beginning October 1, 2008 and terminating September 30, 2012 (unless re-imposed for a third and final four year term in a referendum election through September 30, 2016); and

WHEREAS, it is in the best interests of the City to continue to apply the revenues generated and received from the special one percent sales and use tax to reduce the City's water and sewer rates on a dollar for dollar basis; and

WHEREAS, the City provides customers the opportunity to make payments via credit card, electronic checks, and debit cards at the City's website and kiosks located in convenient locations throughout the City's water and sewer service area; and

WHEREAS, the costs for the City to contract with third-party vendors to validate such payments is Four Dollars and Fifty Cents (\$4.50) per payment processed and said cost is currently borne by all of the City's water and sewer customers regardless of whether they use these convenient payment mechanisms; and

WHEREAS, it is in the best interests of the City for it to instead impose upon the water and sewer customers using said convenient payment mechanisms a convenience charge of Four Dollars and Fifty Cents (\$4.50) for each payment using said mechanisms.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1: That as authorized by Chapter 154, Article III, Division 3 (Water Rates, Charges, and Related Matters), Section 154-111 and 154-112, the rates and charges for the city water service shall be established as follows:

That the City of Atlanta water rate structure will include a graduated schedule of rate conditional on usage levels for domestic, commercial, industrial and other

users of the City of Atlanta system, so as to encourage and promote conservation among all users.

The rates established are as follows:

July 1, 2008 – June 30, 2009

That monthly In-City water rates to be implemented July 1, 2008, for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$1.81 per hundred cubic feet and \$2.47 per hundred cubic feet for Outside-City water users for usage of three hundred cubic feet or less between July 1, 2008 and June 30, 2009.

That monthly In-City water rates to be implemented July 1, 2008 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$3.77 and \$4.58 per hundred cubic feet for Outside-City water users for usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2008 and June 30, 2009.

That monthly In-City water rates to be implemented July 1, 2008 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$4.35 and \$5.27 per hundred cubic feet for Outside-City water users for usage greater than six hundred cubic feet between July 1, 2008 and June 30, 2009.

That monthly wholesale water rates to be implemented on July 1, 2008 shall be \$2.60 per hundred cubic feet for all usage between July 1, 2008 and June 30, 2009, plus any additional charges and fees, as defined in any duly authorized intergovernmental wholesale water service agreement.

That between July 1, 2008 and June 30, 2009, all monthly water rate structures for domestic, commercial, industrial and other users of the City of Atlanta system, include a base charge of \$4.63 regardless of actual usage.

July 1, 2009 – June 30, 2010

That monthly In-City water rates to be implemented July 1, 2009, for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$2.04 per hundred cubic feet and \$2.78 per hundred cubic feet for Outside-City water users for usage of three hundred cubic feet or less between July 1, 2009 and June 30, 2010.

That monthly In-City water rates to be implemented July 1, 2009 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$4.24 and \$5.15 per hundred cubic feet for Outside-City water users for usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2009 and June 30, 2010.

That monthly In-City water rates to be implemented July 1, 2009 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$4.89 and \$5.93 per hundred cubic feet for Outside-City water users for usage greater than six hundred cubic feet between July 1, 2009 and June 30, 2010.

That monthly wholesale water rates to be implemented on July 1, 2009 shall be \$2.93 per hundred cubic feet for all usage between July 1, 2009 and June 30, 2010, plus any additional charges and fees, as defined in any duly authorized intergovernmental wholesale water service agreement.

That between July 1, 2009 and June 30, 2010, all monthly water rate structures for domestic, commercial, industrial and other users of the City of Atlanta system, include a base charge of \$5.21 regardless of actual usage.

July 1, 2010 – June 30, 2011

That monthly In-City water rates to be implemented July 1, 2010, for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$2.30 per hundred cubic feet and \$3.13 per hundred cubic feet for Outside-City water users for usage of three hundred cubic feet or less between July 1, 2010 and June 30, 2011.

That monthly In-City water rates to be implemented July 1, 2010 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$4.77 and \$5.79 per hundred cubic feet for Outside-City water users for usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2010 and June 30, 2011.

That monthly In-City water rates to be implemented July 1, 2010 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$5.50 and \$6.67 per hundred cubic feet for Outside-City water users for usage greater than six hundred cubic feet between July 1, 2010 and June 30, 2011.

That monthly wholesale water rates to be implemented on July 1, 2010 shall be \$3.30 per hundred cubic feet for all usage between July 1, 2010 and June 30, 2011, plus any additional charges and fees, as defined in any duly authorized intergovernmental wholesale water service agreement.

That between July 1, 2010 and June 30, 2011, all monthly water rate structures for domestic, commercial, industrial and other users of the City of Atlanta system, include a base charge of \$5.86 regardless of actual usage.

July 1, 2011 – June 30, 2012

That monthly In-City water rates to be implemented July 1, 2011, for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$2.58 per hundred cubic feet and \$3.51 per hundred cubic feet for Outside-City water users for usage of three hundred cubic feet or less between July 1, 2011 and June 30, 2012.

That monthly In-City water rates to be implemented July 1, 2011 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$5.34 and \$6.48 per hundred cubic feet for Outside-City water users for usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2011 and June 30, 2012;.

That monthly In-City water rates to be implemented July 1, 2011 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$6.16 and \$7.47 per hundred cubic feet for Outside-City water users for usage greater than six hundred cubic feet between July 1, 2011 and June 30, 2012.

That monthly wholesale water rates to be implemented on July 1, 2011 shall be \$3.70 per hundred cubic feet for all usage between July 1, 2011 and June 30, 2012, plus any additional charges and fees, as defined in any duly authorized intergovernmental wholesale water service agreement.

That between July 1, 2011 and June 30, 2012, all monthly water rate structures for domestic, commercial, industrial and other users of the City of Atlanta system, include a base charge of \$6.56 regardless of actual usage.

SECTION 2: That as authorized by Chapter 154, Article V, Division 3 (Sewer Rates and Charges), Sections 154-276 and 154-277, the rates and charges for the city sewer service shall be established as follows:

July 1, 2008 – June 30, 2009

That monthly sewer service rates to be implemented on July 1, 2008 for domestic, commercial, industrial and other users of the City of Atlanta system will be \$6.87 per hundred cubic feet for the first three hundred cubic feet of water usage between July 1, 2008 and June 30, 2009.

That monthly sewer service rates to be implemented on July 1, 2008 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$9.63 per hundred cubic feet for water usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2008 and June 30, 2009.

That monthly sewer service rates to be implemented on July 1, 2008 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$11.07 per hundred cubic feet for water usage greater than six hundred cubic feet between July 1, 2008 and June 30, 2009.

That between July 1, 2008 and June 30, 2009, the monthly sewer service rate structure for domestic, commercial, industrial and other users of the City of Atlanta system shall include a base charge \$4.63 regardless of actual water usage.

July 1, 2009 – June 30, 2010

That monthly sewer service rates to be implemented on July 1, 2009 for domestic, commercial, industrial and other users of the City of Atlanta system will be \$7.73 per hundred cubic feet for the first three hundred cubic feet of water usage between July 1, 2009 and June 30, 2010.

That monthly sewer service rates to be implemented on July 1, 2009 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$10.83 per hundred cubic feet for water usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2009 and June 30, 2010.

That monthly sewer service rates to be implemented on July 1, 2009 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$12.45 per hundred cubic feet for water usage greater than six hundred cubic feet between July 1, 2009 and June 30, 2010.

That between July 1, 2009 and June 30, 2010, the monthly sewer service rate structure for domestic, commercial, industrial and other users of the City of Atlanta system shall include a base charge \$5.21 regardless of actual water usage.

July 1, 2010 – June 30, 2011

That monthly sewer service rates to be implemented on July 1, 2010 for domestic, commercial, industrial and other users of the City of Atlanta system will be \$8.70 per hundred cubic feet for the first three hundred cubic feet of water usage between July 1, 2010 and June 30, 2011.

That monthly sewer service rates to be implemented on July 1, 2010 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$12.18 per hundred cubic feet for water usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2010 and June 30, 2011.

That monthly sewer service rates to be implemented on July 1, 2010 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$14.01 per hundred cubic feet for water usage greater than six hundred cubic feet between July 1, 2010 and June 30, 2011.

That between July 1, 2010 and June 30, 2011, the monthly sewer service rate structure for domestic, commercial, industrial and other users of the City of Atlanta system shall include a base charge \$5.86 regardless of actual water usage.

July 1, 2011 – June 30, 2012

That monthly sewer service rates to be implemented on July 1, 2011 for domestic, commercial, industrial and other users of the City of Atlanta system will be \$9.74 per hundred cubic feet for the first three hundred cubic feet of water usage between July 1, 2011 and June 30, 2012.

That monthly sewer service rates to be implemented on July 1, 2011 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$13.64 per hundred cubic feet for water usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2011 and June 30, 2012.

That monthly sewer service rates to be implemented on July 1, 2011 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$15.69 per hundred cubic feet for water usage greater than six hundred cubic feet between July 1, 2011 and June 30, 2012.

That between July 1, 2011 and June 30, 2012, the monthly sewer service rate structure for domestic, commercial, industrial and other users of the City of Atlanta system shall include a base charge \$6.56 regardless of actual water usage.

SECTION 3: That the City shall continue to apply the revenues generated and received from the special one percent sales and use tax to reduce the City's water and sewer rates on a dollar for dollar basis.

SECTION 4: That the City of Atlanta shall continue to evaluate and pursue financial structuring options, operational cost-saving measures, and opportunities to reduce the cost of capital improvements, as well as seek additional funds from other sources.

SECTION 5: That the City shall impose a convenience charge in the amount of Four Dollars and Fifty Cents (\$4.50) for payments of fees, charges, or administrative penalties related to water and/or sewer usage made using credit cards, electronic check cards, or debit cards on the City's Website, payment kiosks or other places that the City may provide. Said charge shall remain in effect indefinitely and shall only be used to pay third-party vendors to process such payments.

SECTION 6: If any provision, clause, sentence or paragraph of this ordinance, or the application thereof to any person or circumstances, shall be held invalid, such invalidity shall not affect the other provisions or application of the provisions of this ordinance which can be given effect without the invalid provisions or application and, to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 7: That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

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AN ORDINANCE TO FIX A SCHEDULE FOR MONTHLY WATER AND SEWER RATES AND CHARGES FOR THE CITY OF ATLANTA, GEORGIA, AND TO RECOVER COSTS ASSOCIATED WITH CREDIT CARD, ELECTRONIC CHECK, AND DEBIT CARD PAYMENT USE AS AUTHORIZED BY CHAPTER 154, ARTICLE III, DIVISION 3, SECTIONS 154-111 AND 154-112 (WATER RATES AND CHARGES) AND CHAPTER 154, ARTICLE V, DIVISION 3, SECTIONS 154-276 AND 154-277 (SEWER RATES AND CHARGES) FOR THE TIME PERIOD BEGINNING JULY 1, 2008 AND TERMINATING JUNE 30, 2012; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta ("City"), pursuant to its charter, has the authority to and responsibility of providing water and sewer service to its water and sewer customers both inside and outside the corporate boundaries of the City; and

WHEREAS, it is necessary and in the best interests of the City to operate, maintain and expand the water and sewer systems to protect the public health, safety and welfare and to provide these services where such services are needed or desired; and

WHEREAS, in 1998 and 1999, the City resolved *Upper Chattahoochee Riverkeeper Fund, et al. v. City of Atlanta*, Civil Action File No.: 1:95-CV-2550-TWT and *United States of America, et al. v. City of Atlanta*, Civil Action File No. 1:98-CV-1956-TWT by entering court approved Consent Decrees with the Upper Chattahoochee Riverkeeper, the United States of America and the State of Georgia requiring the City to complete capital improvements and to implement improved operation and maintenance programs within specified time frames; and

WHEREAS, the City also resolved other regulatory enforcement matters with regard to its water system requiring the City to complete certain operational and capital improvements; and

WHEREAS, the Mayor and the City Council have, after extensive research and analysis, concluded that to maintain and upgrade the water treatment and distribution system and wastewater treatment and collection system to comply with federal and state regulations, to implement best practices, and to meet the future demands of the City's service area, a major program of capital improvement had to be initiated; and

WHEREAS, projected water and wastewater revenues at current rates and charges will not be sufficient to support continued financing of the costs of these improvements, known as the Clean Water Atlanta program, without significant additional borrowing and increasing the water and sewer rates to secure this debt; and

WHEREAS, it is therefore necessary for the City to implement increases in water and sewer rates and charges to maintain strong infrastructure and regulatory compliance; and

WHEREAS, the City has an interest encouraging its citizens to conserve water resources and is required by the Metropolitan North Georgia Water Planning District's Water Supply and Water Conservation Management Plan to promote conservation through its water and sewer rate structure; and

WHEREAS, it is the desire of the Mayor and City Council to minimize, to the extent possible, the impact of rate increases on ratepayers and implement a rate structure that maintains affordability and promotes water conservation through the implementation of a graduated rate structure; and

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WHEREAS, it is in the best interests of the City to continue to apply the revenues generated and received from the special one percent sales and use tax to reduce the City's water and sewer rates on a dollar for dollar basis;

WHEREAS, the City provides customers the opportunity to make payments via credit card, electronic checks, and debit cards at the City's website and kiosks located in convenient locations throughout the City's water and sewer service area; and

WHEREAS, the costs for the City to contract with third-party vendors to validate such payments is Four Dollars and Fifty Cents (\$4.50) per payment processed and said cost is currently borne by all of the City's water and sewer customers regardless of whether they use these convenient payment mechanisms; and

WHEREAS, it is in the best interests of the City for it to instead impose upon the water and sewer customers using said convenient payment mechanisms a convenience charge of Four Dollars and Fifty Cents (\$4.50) for each payment using said mechanisms.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA, HEREBY ORDAINS:

SECTION 1: That as authorized by Chapter 154, Article III, Division 3 (Water Rates, Charges, and Related Matters), Section 154-111 and 154-112, the rates and charges for the city water service shall be established as follows:

That the City of Atlanta water rate structure will include a graduated schedule of rate conditional on usage levels for domestic, commercial, industrial and other users of the City of Atlanta system, so as to encourage and promote conservation among all users.

The rates established are as follows:

July 1, 2008 – June 30, 2009

That monthly In-City water rates to be implemented July 1, 2008, for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ per hundred cubic feet and \$ _____ per hundred cubic feet for Outside-City water users for usage of three hundred cubic feet or less between July 1, 2008 and June 30, 2009.

That monthly In-City water rates to be implemented July 1, 2008 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ and \$ _____ per hundred cubic feet for Outside-City water users for usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2008 and June 30, 2009.

That monthly In-City water rates to be implemented July 1, 2008 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ and \$ _____ per hundred cubic feet for Outside-City water users for usage greater than six hundred cubic feet between July 1, 2008 and June 30, 2009.

That monthly wholesale water rates to be implemented on July 1, 2008 shall be _____ per hundred cubic feet for all usage between July 1, 2008 and June 30, 2009, plus any additional charges and fees, as defined in any duly authorized intergovernmental wholesale water service agreement.

That between July 1, 2008 and June 30, 2009, all monthly water rate structures for domestic, commercial, industrial and other users of the City of Atlanta system, include a base charge of \$ _____ regardless of actual usage.

July 1, 2009 – June 30, 2010

That monthly In-City water rates to be implemented July 1, 2009, for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ per hundred cubic feet and \$ _____ per hundred cubic feet for Outside-City water users for usage of three hundred cubic feet or less between July 1, 2009 and June 30, 2010.

That monthly In-City water rates to be implemented July 1, 2009 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ and \$ _____ per hundred cubic feet for Outside-City water users for usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2009 and June 30, 2010.

That monthly In-City water rates to be implemented July 1, 2009 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____

_____ and \$ _____ per hundred cubic feet for Outside-City water users for usage greater than six hundred cubic feet between July 1, 2009 and June 30, 2010.

That monthly wholesale water rates to be implemented on July 1, 2009 shall be _____ per hundred cubic feet for all usage between July 1, 2009 and June 30, 2010, plus any additional charges and fees, as defined in any duly authorized intergovernmental wholesale water service agreement.

That between July 1, 2009 and June 30, 2010, all monthly water rate structures for domestic, commercial, industrial and other users of the City of Atlanta system, include a base charge of \$ _____ regardless of actual usage.

July 1, 2010 – June 30, 2011

That monthly In-City water rates to be implemented July 1, 2010, for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ per hundred cubic feet and \$ _____ per hundred cubic feet for Outside-City water users for usage of three hundred cubic feet or less between July 1, 2010 and June 30, 2011.

That monthly In-City water rates to be implemented July 1, 2010 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ and \$ _____ per hundred cubic feet for Outside-City water users for usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2010 and June 30, 2011.

That monthly In-City water rates to be implemented July 1, 2010 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ and \$ _____ per hundred cubic feet for Outside-City water users for usage greater than six hundred cubic feet between July 1, 2010 and June 30, 2011.

That monthly wholesale water rates to be implemented on July 1, 2010 shall be _____ per hundred cubic feet for all usage between July 1, 2010 and June 30, 2011, plus any additional charges and fees, as defined in any duly authorized intergovernmental wholesale water service agreement.

That between July 1, 2010 and June 30, 2011, all monthly water rate structures for domestic, commercial, industrial and other users of the City of Atlanta system, include a base charge of \$ _____ regardless of actual usage.

July 1, 2011 – June 30, 2012

That monthly In-City water rates to be implemented July 1, 2011, for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____

_____ per hundred cubic feet and \$ _____ per hundred cubic feet for Outside-City water users for usage of three hundred cubic feet or less between July 1, 2011 and June 30, 2012.

That monthly In-City water rates to be implemented July 1, 2011 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ and \$ _____ per hundred cubic feet for Outside-City water users for usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2011 and June 30, 2012;.

That monthly In-City water rates to be implemented July 1, 2011 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ and \$ _____ per hundred cubic feet for Outside-City water users for usage greater than six hundred cubic feet between July 1, 2011 and June 30, 2012.

That monthly wholesale water rates to be implemented on July 1, 2011 shall be _____ per hundred cubic feet for all usage between July 1, 2011 and June 30, 2012, plus any additional charges and fees, as defined in any duly authorized intergovernmental wholesale water service agreement.

That between July 1, 2011 and June 30, 2012, all monthly water rate structures for domestic, commercial, industrial and other users of the City of Atlanta system, include a base charge of \$ _____ regardless of actual usage.

SECTION 2: That as authorized by Chapter 154, Article V, Division 3 (Sewer Rates and Charges), Sections 154-276 and 154-277, the rates and charges for the city sewer service shall be established as follows:

July 1, 2008 – June 30, 2009

That monthly sewer service rates to be implemented on July 1, 2008 for domestic, commercial, industrial and other users of the City of Atlanta system will be \$ _____ per hundred cubic feet for the first three hundred cubic feet of water usage between July 1, 2008 and June 30, 2009.

That monthly sewer service rates to be implemented on July 1, 2008 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ per hundred cubic feet for water usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2008 and June 30, 2009.

That monthly sewer service rates to be implemented on July 1, 2008 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____

_____ per hundred cubic feet for water usage greater than six hundred cubic feet between July 1, 2008 and June 30, 2009.

That between July 1, 2008 and June 30, 2009, the monthly sewer service rate structure for domestic, commercial, industrial and other users of the City of Atlanta system shall include a base charge \$_____ regardless of actual water usage.

July 1, 2009 – June 30, 2010

That monthly sewer service rates to be implemented on July 1, 2009 for domestic, commercial, industrial and other users of the City of Atlanta system will be \$_____ per hundred cubic feet for the first three hundred cubic feet of water usage between July 1, 2009 and June 30, 2010.

That monthly sewer service rates to be implemented on July 1, 2009 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$_____ per hundred cubic feet for water usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2009 and June 30, 2010.

That monthly sewer service rates to be implemented on July 1, 2009 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$_____ per hundred cubic feet for water usage greater than six hundred cubic feet between July 1, 2009 and June 30, 2010.

That between July 1, 2009 and June 30, 2010, the monthly sewer service rate structure for domestic, commercial, industrial and other users of the City of Atlanta system shall include a base charge \$_____ regardless of actual water usage.

July 1, 2010 – June 30, 2011

That monthly sewer service rates to be implemented on July 1, 2010 for domestic, commercial, industrial and other users of the City of Atlanta system will be \$_____ per hundred cubic feet for the first three hundred cubic feet of water usage between July 1, 2010 and June 30, 2011.

That monthly sewer service rates to be implemented on July 1, 2010 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$_____ per hundred cubic feet for water usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2010 and June 30, 2011.

That monthly sewer service rates to be implemented on July 1, 2010 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ per hundred cubic feet for water usage greater than six hundred cubic feet between July 1, 2010 and June 30, 2011.

That between July 1, 2010 and June 30, 2011, the monthly sewer service rate structure for domestic, commercial, industrial and other users of the City of Atlanta system shall include a base charge \$ _____ regardless of actual water usage.

July 1, 2011 – June 30, 2012

That monthly sewer service rates to be implemented on July 1, 2011 for domestic, commercial, industrial and other users of the City of Atlanta system will be \$ _____ per hundred cubic feet for the first three hundred cubic feet of water usage between July 1, 2011 and June 30, 2012.

That monthly sewer service rates to be implemented on July 1, 2011 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ per hundred cubic feet for water usage greater than three hundred cubic feet and less than or equal to six hundred cubic feet between July 1, 2011 and June 30, 2012.

That monthly sewer service rates to be implemented on July 1, 2011 for domestic, commercial, industrial and other users of the City of Atlanta system shall be \$ _____ per hundred cubic feet for water usage greater than six hundred cubic feet between July 1, 2011 and June 30, 2012.

That between July 1, 2011 and June 30, 2012, the monthly sewer service rate structure for domestic, commercial, industrial and other users of the City of Atlanta system shall include a base charge \$ _____ regardless of actual water usage.

SECTION 3: That the City shall continue to apply the revenues generated and received from the special one percent sales and use tax to reduce the City's water and sewer rates on a dollar for dollar basis.

SECTION 4: That the City of Atlanta shall continue to evaluate and pursue financial structuring options, operational cost-saving measures, and opportunities to reduce the cost of capital improvements, as well as seek additional funds from other sources.

SECTION 5: That the City shall impose a convenience charge in the amount of Four Dollars and Fifty Cents (\$4.50) for payments of fees, charges, or administrative penalties related to water and/or sewer usage made using credit cards, electronic check cards, or debit cards on the City's Website, payment kiosks or other places that the City may

provide. Said charge shall remain in effect indefinitely and shall only be used to pay third-party vendors to process such payments.

SECTION 6: If any provision, clause, sentence or paragraph of this ordinance, or the application thereof to any person or circumstances, shall be held invalid, such invalidity shall not affect the other provisions or application of the provisions of this ordinance which can be given effect without the invalid provisions or application and, to this end, the provisions of this ordinance are hereby declared to be severable.

SECTION 7: That all ordinances or parts of ordinances in conflict herewith are hereby waived to the extent of the conflict.

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: CITY UTILITIES COMMITTEE

Caption: AN ORDINANCE TO FIX A SCHEDULE FOR MONTHLY WATER AND SEWER RATES AND CHARGES FOR THE CITY OF ATLANTA, GEORGIA, AND TO RECOVER COSTS ASSOCIATED WITH CREDIT CARD, ELECTRONIC CHECK, AND DEBIT CARD PAYMENT USE AS AUTHORIZED BY CHAPTER 154, ARTICLE III, DIVISION 3, SECTIONS 154-111 AND 154-112 (WATER RATES AND CHARGES) AND CHAPTER 154, ARTICLE V, DIVISION 3, SECTIONS 154-276 AND 154-277 (SEWER RATES AND CHARGES) FOR THE TIME PERIOD BEGINNING JULY 1, 2008 AND TERMINATING JUNE 30, 2012; AND FOR OTHER PURPOSES.

Council Meeting Date: May 5, 2008

Requesting Dept.: Watershed Management

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

Example: *The purpose of this legislation is to anticipate funds from a local assistance grant to purchase child safety seats.*

The purpose of this legislation is fix a schedule for monthly water and sewer rates and charges for the City and to recover costs associated with credit card, electronic check, and debit card payment use.

2. Please provide background information regarding this legislation.

Example: *The task force of homelessness conducted a study regarding homelessness, its impact and consequences on the City. This resolution reflects the Mayor's desire to open a twenty-four hour center that will respond to the needs of the homelessness in Atlanta.*

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):** n/a

(b) **Source Selection:** n/a

(c) **Bids/Proposals Due:** n/a

(d) **Invitations Issued:** n/a

- (e) Number of Bids: n/a
(f) Proposals Received: n/a
(g) Bidders/Proponents: n/a
(h) Term of Contract: n/a

4. Fund Account Center (*Ex. Name and number*): n/a

Fund: _____ Account: _____ Center: _____

5. Source of Funds: *Example: Local Assistance Grant* n/a

6. Fiscal Impact:

Example: This legislation will result in a reduction in the amount of _____ to Fund Account Center Number _____.

7. Method of Cost Recovery: n/a

Examples:

- a. *Revenues generated from the permits required under this legislation will be used to fund the personnel needed to carry out the permitting process.*
- b. *Money obtained from a local assistance grant will be used to cover the costs of this Summer Food Program.*

This Legislative Request Form Was Prepared By: Maisha L. Wood

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: GREG PRIDGEON

Dept.'s Legislative Liaison: _____ Maisha L. Wood _____

Contact Number: _____ (404) 330-6887 _____

Originating Department: _____ Department of Watershed Management _____

Committee(s) of Purview: _____ City Utilities _____

Chief of Staff Deadline: _____

Anticipated Committee Meeting Date(s): _____ April 29, 2008 _____

Anticipated Full Council Date: _____ May 5, 2008 (First Read) _____

Legislative Counsel's Signature: _____

Commissioner Signature: _____ Robert J. Hunter _____

Chief Procurement Officer Signature: _____ n/a _____

CAPTION

AN ORDINANCE TO FIX A SCHEDULE FOR MONTHLY WATER AND SEWER RATES AND CHARGES FOR THE CITY OF ATLANTA, GEORGIA, AND TO RECOVER COSTS ASSOCIATED WITH CREDIT CARD, ELECTRONIC CHECK, AND DEBIT CARD PAYMENT USE AS AUTHORIZED BY CHAPTER 154, ARTICLE III, DIVISION 3, SECTIONS 154-111 AND 154-112 (WATER RATES AND CHARGES) AND CHAPTER 154, ARTICLE V, DIVISION 3, SECTIONS 154-276 AND 154-277 (SEWER RATES AND CHARGES) FOR THE TIME PERIOD BEGINNING JULY 1, 2008 AND TERMINATING JUNE 30, 2012; AND FOR OTHER PURPOSES.

FINANCIAL IMPACT (if any): n/a

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____
(date) (date)

Received by Mayor's Office: _____ 4.18.08 _____ Reviewed by: _____
(date) (date)

Submitted to Council: _____
(date)